

### REMARKS

Claims 2, 7-9, 11-14, and 16-44 are pending. Claims 2, 7, 19, 24, 33, and 39 are the independent claims. The Office Action states that all claims are rejected under 35 U.S.C. § 103 as obvious from *Nagata* (JP 53-89753). Applicant respectfully submits that the present final Office Action is clearly premature, because nowhere does it address the present claim limitation that one of the electrodes is a pixel electrode whereas the other electrode is a counter electrode. This feature is explicitly claimed in present claims 12, 17, 22, 31, 33, 39, and of course is also a limitation of the claims depending therefrom.

Additionally, as further described below, the liquid crystal layer of the present claimed invention is entirely different from that of *Nagata*. It is easy to see from *Nagata's* figures 1a and 1b that the layer comprises two different types of molecules, whereas the present figures 1A and 1B show only one type of molecule.

#### The Main Characteristic of the Present Invention

The main characteristic of the present invention which applicant respectfully wishes to emphasize is to form the dual domain structure between a pixel electrode and a counter electrode while maintaining the electric field lines, so as to minimize the color shift phenomenon in white state. This aspect of the present invention is discussed, for example, at page 3, lines 15-25 of the present application, and also at page 32, lines 10-16. The motivation in *Nagata* is entirely different, and the resulting structure of *Nagata's* invention is also very different.

The purpose of *Nagata's* invention is to display color letters, numbers, and patterns on a transparent background. For this purpose, *Nagata* discloses an additive of dichromatic dye that must be mixed with the liquid crystal. The liquid crystal is a "host" and the dichromatic dye is a "guest." This guest-host effect is central to *Nagata's* inventive concept, whereas it is irrelevant to the present claimed invention.

The primary purpose of the present invention is to minimize the color shift phenomenon in white state. The present application says nothing about a “guest-host effect,” and says nothing about any dichromatic dye or other kind of dye. The only additive mentioned by the present application is for expediting return to original alignment, as discussed at page 17 of the application as originally filed, lines 29-32. The present application cites cholesteric chiral as an exemplary additive, and cholesteric chiral is not a dye, and is not useful for producing a guest-host effect.

Applicant respectfully submits that the “liquid crystal layer” of the present independent claims is defined very differently from the “liquid crystal layer” of *Nagata*. Of course, according to MPEP § 2173.01, applicants are their own lexicographers. In the present situation, *Nagata* has adopted a very different meaning for the term “liquid crystal layer” than the meaning that is used in the present application. According to the present application, the “liquid crystal layer” consists of liquid crystal molecules **24**, as shown in FIG 1. In contrast, *Nagata* shows in his Figure 1a that the “liquid crystal layer” is really a guest-host mixture of liquid crystal molecules **2** combined with dye molecules **3**.

The differences between the present application and *Nagata* are even bigger if we consider present dependent claims 9, 14, 30, 34, and 40. Each of those claims states that the “liquid crystal layer is formed of a material.” It does not say that the liquid crystal layer is formed of two materials, as in *Nagata*.

### Conclusion

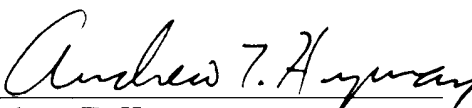
Applicant respectfully submits that the claims of the present application define patentable subject matter and are patentably distinguishable over the cited reference for the reasons explained. Applicant would greatly appreciate if the Examiner would please contact Applicant’s attorney by telephone, if anything can be done to clarify the claims or alleviate the Examiner’s

concerns. Allowance of the pending claims is earnestly solicited, and early passage to issue is sincerely requested.

Respectfully submitted,

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